

In all three cases, the relevant portions which caused them to be listed are the drawings. All three documents were classified in the ISR as "A" (documents defining the general state of the art which is not considered to be of a particular relevance).

Claim rejections

Claims 1-10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is canceled.

Claim 2 (now, independent claim) is amended to include all the limitations of original Claim 1, and is rewritten to overcome the rejections. Part of its amended text comes from original Claim 1. Specifically, the indefinite text "each with and end area" in original Claim 1 is now amended to read "each cylindrical tube (1.1) having an end area (8)"; the word "and" was originally written in error instead of "an". Also, the word "cylinders" was rejected as lacking clear and proper antecedent basis; as in many parts of the description, the claims read said word instead of "cylindrical tubes"; both expressions have been indiscriminately used along the original documents to refer always to the reference (1.1) in the drawings, so considering "cylinders" and "cylindrical tubes" as synonymous expressions. In the amended Claim 2 "cylinders" is being replaced with "cylindrical tubes". Similarly, "cylinders" is being replaced with "cylindrical tubes" in all the rest of the now amended claims.

Claim 3 is canceled.

Claim 4 is amended to correct the wording

- "is external one (5) located", now "an external ring (5) located" to overcome the rejection by being indefinite;
- "one intermediate one (6)", now "an intermediate ring (6)" to overcome the rejection by being indefinite;
- "the area of said cylindrical tube" is being amended to read "an area of said cylindrical tube", to overcome the rejection by lack of antecedent basis; it must be noted that said "an area" is the part of the cylindrical tube close to the "end area (8)";

- "the threaded area" is being amended to read "the said threaded end area (8)", based on the text "each cylindrical tube (1.1) having an end area (8) which is threaded", to overcome the rejection by lack of antecedent basis; and
- "the intermediate ring (6)" is being amended to read "said intermediate ring (6)", based on the text "an intermediate ring (6)" as explained above.

Claim 5 is amended to replace the indefinite text "the section of said peripheral rings (5, 6, 7) is semicircular" with "said peripheral rings (5, 6, 7) have a semicircular section", meaning that the transversal or cross section is semicircular.

Claim 6 is amended to overcome the rejection by lack of clear and proper antecedent basis for "the planes"; basis can be found in the Description, (page 6, lines 9-11) "The external planes of aperture of the two cylinders form an angle of 130°, as can be observed in Figure 1B (angle α). In consequence, the contour of each external aperture is elliptical"; also in (page 10, line 5) "The planes of the external opening (3) form a 130° angle (9)", and in the Abstract "The planes of the external openings of the cylindrical tubes (1.1), form an angle of 130°." Original wording is amended from "the planes of the external openings (3) with elliptical contour of the two cylindrical tubes (1.1) that make up the anatomical nasal inhaler form an angle of 130°, to "planes defined by the external openings (3) with elliptical contour of the said two cylindrical tubes (1.1) that make up the anatomical nasal inhaler form an angle of 130°."

Claim 7 is canceled.

Claim 8 is amended to overcome the rejection by lack of clear and proper antecedent basis for "standard version"; the text "in the standard version of the inhaler" is deleted. Also, the indefinite wording "external ring" is replaced with "peripheral rings (5, 6, 7)". Proper antecedent basis can be found in amended Claims 4 and 5 as well as in the original Description.

Claim 9 is amended to delete "in another version of the inhaler", in accordance with the amendment made to Claim 8.

Claim 10 is amended to replace the indefinite text "the threaded area (8)" with "the threaded end area (8)" similarly to the amendment to Claim 4; and to avoid the use of alternate language ("or").

Furthermore, Claims 1, 3 and 7 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Korman in view of Hoffmann.

6

Applicant cancels Claims 1, 3 and 7. Amended Claim 2 includes all the limitations of original Claim 1 and, additionally, now includes the features of the cylindrical tubes and the cylindrical terminals having peripheral rings in order to further distinguish over the prior art

In view of the above, reconsideration and allowance of the pending claims are respectfully solicited.

Respectfully submitted

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